

USSN: 07/728,428

Attorney Docket No. 89B010A/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : § Before the Examiner  
 Jo Ann M. Canich § Roberto Rabago  
 Serial No. 07/728,428 § Group Art Unit No. 1713  
 Filed July 11, 1991 § Attorney Docket Number 89B010A/3  
 For: Olefin Polymerization Catalysts § Date: August 8, 2006  
 §

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Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

FIRST SUBMISSION UNDER 37 C.F.R. § 1.129

Sir:

This reply is submitted in response to the office action mailed March 8, 2006 and the advisory action dated August 4, 2006 under the transitional procedures established in 37 C.F.R. § 1.129. Section 129 provides, in pertinent part, "...(a) An applicant in a application...that has been pending for at least two years as of June 8, 1995,...is entitled to have a first submission entered and considered on the merits after final rejection... if the first submission and the fee set forth in 37 CFR § 1.17(r) are filed prior to the filing of an appeal brief and prior to abandonment of the application. The finality of the final rejection is automatically withdrawn upon timely filing of the submission and payment of the fee under 37 CFR § 1.17(r)..."

The instant application was filed July 11, 1991 and was pending for more than two years as of June 8, 1995. Thus the provisions of 37 C.F.R. § 1.129 are applicable to the instant application. This document is the first submission. The commissioner is authorized to debit the fee required under 37 C.F.R. § 1.17(r) from deposit account number 05-1712. Under the provisions of 37 C.F.R. § 1.129 the finality of the office action dated March 8, 2006 must be withdrawn and the following submission must be entered and considered. Applicant respectfully requests reconsideration of the application in light of the following amendments and remarks.

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